

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JOSEPH PEREZ,

Plaintiff,

v.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 2:23-cv-01029-JAD-EJY

**ORDER**

On July 3, 2023, Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff failed to include his inmate trust fund account statement for the previous six-month period. Even if Plaintiff has not been at the Nevada Department of Corrections facility a full six-month period, Plaintiff must still submit an inmate account statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

Accordingly, IT IS HEREBY ORDERED that on or before **August 18, 2023**, Plaintiff must either pay the \$402 filing fee for a civil action or file with the Court a copy of his **inmate prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a copy of Plaintiff’s inmate prison or jail trust fund account statement for the previous six-month period on or before **August 18, 2023**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

IT IS FURTHER ORDERED that the Court will retain Plaintiff’s Complaint (ECF No. 1-1), but will not file it at this time.

1 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved  
2 form application to proceed *in forma pauperis* for inmate along with the information and instructions  
3 for filing the same.

4 DATED this 17th day of July, 2023.

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6 ELAYNA J. YOUCHAK  
7 UNITED STATES MAGISTRATE JUDGE  
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